

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO

MANUELA ONTIVEROS-LERMA,

Plaintiff,

vs.

Civ. No. 99-1008 LH/WWD ACE

ROGER TERRAZAS, JEFFREY GARBOW,
JOE ALVAREZ in their individual capacities,
and the COUNTY OF DONA ANA,

Defendants.

MEMORANDUM OPINION AND ORDER

This matter comes before the Court upon Plaintiff's Motion to Compel County Defendants to Respond to Plaintiff's First Set of Discovery Requests and for Sanctions [docket no. 49] filed April 25, 2000. Since the discovery sought by the Plaintiff is addressed to one or more of the Defendants, I shall indicate parenthetically which of the Defendants are involved.

Plaintiff seeks full responses to interrogatory no. 1 (Alvarez); no. 2 (all); no. 4 (all); no. 5 (all); no. 6 (County and Alvarez); no. 7 (all); no. 8 (Alvarez and Garbow); no. 9 (County); and no. 10 (Alvarez and Garbow). The requests for production in Plaintiff's First Request for Production which are addressed by the Motion to Compel are no. 2 (all); no. 4 (Alvarez and Garbow); no. 6 (County); and no. 7 (County). The objections to interrogatory no. 1, no. 2 (with respect to Alvarez and Garbow), no. 6, no. 7, and no. 8 (Alvarez), are not well taken and full and complete answers to these interrogatories should be served on Plaintiff on or before May 22, 2000. Defendants' objections to interrogatories no. 4 and 5 are sustained. The answer to interrogatory

no. 10 (Alvarez and Garbow) is incomplete in that it fails to set out the substance of the proposed witnesses' testimony. These responses should be supplemented on or before May 22, 2000; provided, however, that the disclosing of experts and service of their reports shall be in accordance with the previous orders of the Court, and further response with respect to experts will not be required in response to interrogatory no. 9 or no. 10. Defendants' objections to requests for production no. 2 and no. 4 (Alvarez and Garbow) are not well taken and the documents sought in those requests should be produced to Plaintiff on or before May 22, 2000. If request for production no. 6 would require production that has already been made, no further production will be required; otherwise those requests should be produced to Plaintiff on or before May 22, 2000. Production of the documents sought in request for production no. 7 shall be made to Plaintiff on or before May 22, 2000. An appropriate confidentiality order should be prepared by the parties and submitted to the Court with respect to personnel records and internal affairs records being produced.

Discovery in this cause shall proceed in accordance with the foregoing.

IT IS SO ORDERED.


UNITED STATES MAGISTRATE JUDGE